

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HUDA FAKHREDDINE, TROUTT POWELL,
and PENN FACULTY FOR JUSTICE IN
PALESTINE,

v.

Plaintiffs,

THE UNIVERSITY OF PENNSYLVANIA,

Defendant.

No. 2:24-cv-01034 (MSG)

DEFENDANT'S MOTION FOR LEAVE TO FILE EXCESS PAGES

Defendant University of Pennsylvania, by and through its attorneys, respectively moves this Court for leave to file a consolidated motion to dismiss and supporting memorandum of law and opposition to Plaintiffs' preliminary injunction motion 15 pages in excess of the 25-page limit for individual briefs set forth in this Honorable Court's Policies and Procedures (Effective Date: March 13, 2024), for a total of up to 40 pages. In support of this Motion, Penn states as follows:

1. Part 9 of the Civil Matters Section of the Court's Policies and Procedures states that “[a]ny brief filed in support of [a] motion should be limited to twenty-five (25) pages” and “[a]ny brief or memorandum filed in opposition or in response to a motion is subject to the same page limitation.”
2. Plaintiffs filed their Complaint on March 9, 2024 (Dkt. 1). Plaintiffs' Complaint alleges violations of the First and Fourteenth Amendments of the U.S. Constitution, violations of Pennsylvania's Constitution, and breach of contract related to Penn's compliance with a request for information from the U.S. House of Representatives Committee on Education and the Workforce (HEW). Pursuant to this Court's 12(b) Procedural Order, Penn filed a letter to the Court requesting a pre-motion conference on April 3, 2024 (Dkt. 19). On April 6, 2024, Plaintiffs

filed a Motion for Preliminary Injunction requesting the Court enjoin Penn from complying with the HEW Letter (Dkt. 20). On April 9, 2024, Plaintiffs filed a response to Penn's letter requesting a pretrial conference (Dkt. 21).

3. At the direction of the Court, the Parties proposed a briefing schedule for Plaintiffs' preliminary injunction motion and Penn's forthcoming motion to dismiss (Dkt. 24). Due to the overlapping issues raised by Penn's motion to dismiss and Plaintiffs' preliminary injunction motion, the Parties proposed that Penn file a consolidated motion to dismiss and opposition to Plaintiffs' preliminary injunction motion on May 7, 2024 (Dkt. 24). The Court adopted the Parties' proposed briefing schedule on April 23, 2024 (Dkt. 25).

4. While Penn believes that the overlapping issues raised by its motion to dismiss and Plaintiffs' preliminary injunction motion can be more efficiently addressed in a consolidated brief, Penn believes that 40 pages are necessary to provide the Court with the opportunity to consider Penn's complete arguments for both its motion to dismiss and opposition to Plaintiffs' preliminary injunction motion. Penn consulted with Plaintiffs, and Plaintiffs consent to this request.

WHEREFORE, Penn respectfully requests that the Court grant its Motion for Leave to Exceed the Page Limit.

Dated: May 2, 2024

Respectfully submitted,

/s/ David Gringer

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